

**COUNTY COUNCIL**

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**Council Services Division**  
4396 Rice Street, Suite 209  
Lihue, Kauai, Hawaii 96766

**MEMORANDUM**

July 24, 2014

**TO:** Bernard P. Carvalho, Jr., Mayor

**FROM:** Jay Furfaro, Council Chair 

**RE:** **JULY 23, 2014 COUNCIL MEETING RECAP**

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This is to inform you of the action taken by the Council at its July 23, 2014 Council Meeting:

**SPECIAL ORDER OF THE DAY:**

C 2014-199 Communication (07/02/2014) from the County Clerk, transmitting a 2014 Charter Amendment Petition relating to "A New Article XXXIII Protecting Right To Clean And Healthful Environment From Hazards Of GMO Agriculture, Establish Administrator Of Environmental Health, And Provide For Enforcement" submitted by Petitioners' Committee "Kaua'i Rising" pursuant to Section 24.01(B) of the Kaua'i County Charter. ***(Rejected the Charter Amendment petition and requested that the Office of the County Attorney explore the County's options for obtaining a declaratory judgment.)***

**CONSENT CALENDAR:**

C 2014-206 Communication (07/07/2014) from the Budget and Purchasing Director, transmitting for Council information, the Fourth Quarter Statement of Equipment Purchases for Fiscal Year 2013-2014, pursuant to Section 17 of Ordinance No. B-2013-753, the Operating Budget of the County of Kaua'i for Fiscal Year 2013-2014. ***(Received for the Record.)***

C 2014-207 Communication (07/08/2014) from the Acting Director of Personnel Services, transmitting for Council information, the April-June 2014 Department of Personnel Services Quarterly Report, pursuant to Section 19 of Ordinance No. B-2013-753, the Operating Budget of the County of Kaua'i for the Fiscal Year 2013-2014, which includes new hires, transfers, reallocations, promotions, and vacancies for the fourth quarter. ***(Received for the Record.)***

C 2014-208 Communication (07/11/2014) from Council Chair Furfaro, transmitting for Council consideration and confirmation, Council appointee Ivory K. McClintock to the Public Access, Open Space, and Natural Resources Preservation Fund Commission (At-Large), who will serve a partial term ending on December 31, 2014. She will then be eligible for a full term thereafter. *(Copy of application on file in the Clerk's Office.) (Received for the Record.)*

COMMUNICATIONS:

C 2014-209 Communication (06/24/2014) from the Executive on Aging, requesting Council approval to apply for, receive, and expend funds from the grant amendment awarded by the Corporation for National and Community Service to the County of Kaua'i's Agency on Elderly Affairs, Kaua'i Retired and Senior Volunteer Program (RSVP) for a one-time augmentation in the amount of \$2,500, which would be in addition to the carry forward amount of \$1,194, and \$62,847 grant funds already awarded, to assist the Kaua'i RSVP in carrying out a national service program as authorized by the Domestic Volunteer Services Act of 1973, as amended, (Title 42 United States Code (USC), Chapter 22). *(Approved.)*

C 2014-210 Communication (06/30/2014) from the Chief Licensing Examiner and Inspector, requesting Council approval to apply for, receive, and expend grant funds in the total amount of \$42,204, comprised of two (2) Federal grants in the amounts of \$17,204 and \$25,000. These grant moneys would be used to purchase equipment for the Driver License Division's Security Floor Plan (SFP), which is needed to achieve full compliance with the Real I.D. Act of 2005. *(Approved.)*

C 2014-211 Communication (07/11/2014) from the County Attorney, requesting authorization to expend additional funds up to \$100,000 for Special Counsel's continued services provided in Grant W. Gribble vs. County of Kaua'i, et al., Civil No. 08-1-0231 (Fifth Circuit Court), and related matters. *(Approved.)*

C 2014-212 Communication (07/11/2014) from the County Attorney, requesting authorization to expend additional funds up to \$20,000 to enable Special Counsel's continued representation in Michael G. Sheehan vs. County of Kaua'i, et al., Civil No. 10-1-0161 (Agency Appeal), Fifth Circuit Court, currently being appealed by Mr. Sheehan under Intermediate Court of Appeals No. CAAP-11-0000601, Michael G. Sheehan vs. County of Kaua'i, et al., Civil No. CV12-00195 HG BMK, U.S. District Court, and related matters. *(Approved.)*

C 2014-213 Communication (07/11/2014) from the County Attorney, requesting authorization to expend additional funds up to \$50,000 for Special Counsel's continued services provided in Syngenta Seeds, Inc., a Delaware corporation, et al. vs. County of Kaua'i, Civil No. CV14-00014 BMK (U.S. District Court), and related matters. *(Approved.)*

CLAIM:

C 2014-214 Communication (07/03/2014) from the Deputy County Clerk, transmitting a claim filed against the County of Kaua'i by Richard A. Schmidt, for reimbursement of expenses, pursuant to Section 23.06, Charter of the County of Kaua'i. *(Referred to the County Attorney's Office for disposition and/or report back to the Council.)*

COMMITTEE REPORT: APPROVED.

**RESOLUTIONS:**

Resolution No. 2014-36 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO ANY COUNTY COUNCIL VACANCY IN OFFICE ***(Motion to Approve failed.)***

Resolution No. 2014-37 – RESOLUTION PROPOSING A CHARTER AMENDMENT RELATING TO THE PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION FUND ***(Received for the Record.)***

Resolution No. 2014-41 – RESOLUTION CONFIRMING COUNCIL APPOINTMENT TO THE PUBLIC ACCESS, OPEN SPACE, AND NATURAL RESOURCES PRESERVATION FUND COMMISSION ***(Ivory K. McClintock Approved.)***

Thank you for following up as appropriate, including confidential routing to any appropriate parties, and please do not hesitate to contact me or Council Services Staff if you need further information. Please note that this memo presents a summary of the action taken, and reference should be made to the official minutes for a complete record.

cc: KCT Department Heads *(Via E-mail)*  
KCT CCs *(Via E-mail)*  
Council Services Staff *(Via E-mail)*